

Appl. No. 09/765,886  
Amdt. dated May 16, 2005  
Reply to Office action of March 16, 2005

**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

O F F I C E  
MAY 20 2005  
PATENT & TRADEMARK OFFICE

In re the application of: )  
Schmidt, Brian K. )  
Application No: 09/765,886 )  
Filed: January 18, 2001 )  
For: Method And Apparatus For Aggregate )  
Resource Management of Active )  
Computing Environments )  
Group Art Unit: 2155  
Examiner: Bruckart, Benjamin R.  
Atty. Docket No: SUNMP586  
(Prev. 0007056-060/P5320/BBC)  
Date: May 16, 2005

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on May 16, 2005.

Signed: Cynthia Dawn  
Cynthia Dawn

**RESPONSE IN ACCORDANCE WITH 37 C.F.R. 1.116**

**Mail Stop AF**  
Commissioner for Patents  
P. O. Box 1450  
Alexandria VA 22313-1450

Dear Sir:

In response to the Final Office Action dated March 16, 2005, please reconsider the outstanding rejections in view of the following Remarks, which begin on page 2 of this paper.

*I.W.H.*  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the patent application of

B. Schmidt

Application No: 09/765,886

Filing Date: January 18, 2001

For: METHOD AND APPARATUS FOR  
AGGREGATE RESOURCE MANAGEMENT  
OF ACTIVE COMPUTING ENVIRONMENTS



Docket No. SUNMP586

Group Art Unit: 2155

Examiner: Bruckart, B.

Date: May 16, 2005

Confirmation No.: 9319

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Signed: Cynthia Dawn  
Cynthia Dawn

**Mail Stop AF**  
Commissioner for Patents  
P. O. Box 1450  
Alexandria VA 22313-1450

Sir:

Transmitted herewith is a Response in Accordance with 37 C.F.R. 1.116 in the above-identified application.  
The fee has been calculated as shown below.

	Claims Remaining After Amendment	Highest Previously Paid For	Present Extra	SMALL ENTITY RATE FEE	OR	LARGE ENTITY RATE FEE
<b>TOTAL</b>						
CLAIMS	18	-	21	00	X 25 = \$	OR X 50 = \$0
INDEP						
CLAIMS	03	-	03	00	X100 = \$	OR X200 = \$0
[ ] Multiple Dependent Claim Present and Fee Not Previously Paid				\$180		\$360
			<b>TOTAL</b>	<b>\$</b>		<b>\$0</b>

Applicant hereby petitions for a \_\_\_ month extension of time to respond to the outstanding Office Action.  
 Applicant believes that no Extension of Time is required; however, if it is determined that such an extension is required, Applicant hereby petitions that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 50-0805  
 Enclosed is our Check No. \_\_\_ in the amount of \$ \_\_\_ to cover the extension of time fee.  
 If the required fees are missing or any additional fees are required to facilitate filing the enclosed response, please charge such fees or credit any overpayment to Deposit Account No. 50-0805 (Order No. SUNMP586). A copy of this sheet is enclosed.

Respectfully submitted,  
MARTINE PENILLA & GENCARELLA, LLP

Leonard Heyman, Esq.  
Registration No. 40,418

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